

Applicants: Virginia M. Litwin et al.
Serial No.: 09/891,062
Filed: June 25, 2001
Page 5

REMARKS

Applicants have hereinabove amended the title of the subject application to reflect the subject matter of the now-pending claims. Applicants maintain that this amendment is supported by the specification as originally filed and thus does not raise any issue of new matter.

Claims 40-47 were pending in the subject application. By this Amendment, applicants have amended claim 40 to more clearly the define the antigen to which a monoclonal antibody or portion thereof binds. This amendment is supported in the specification at, *inter alia*, page 10, lines 19-34; Figure 5; and page 35, lines 28-30. Applicants note that these cited passages in the specification disclose that the antigen to which monoclonal antibodies PA6 and PA7 bind comprises two polypeptides of approximately 19 and approximately 25 kD detectable by SDS-PAGE. It is therefore evident that the single antigen has an approximate molecular weight of approximately 44 kD, i.e., the sum of the approximately 19 and approximately 25 kD polypeptides, and this is reflected in the amendment to claim 40. Thus, applicants maintain that the amendment does not raise any issue of new matter. Accordingly, applicants respectfully request that the Examiner enter this Amendment. Upon entry of this Amendment, claims 40-47, as amended, will be pending and under examination.

Allowability of Claims

After filing the May 13, 2005 Amendment, applicants received an Office Action issued August 8, 2005 by the Patent and Trademark Office in connection with the subject application. However, this Office Action had the same content as the Office Action previously issued on March 17, 2005, in response to which applicants had filed the May 13, 2005 Amendment. During a

Applicants: Virginia M. Litwin et al.
Serial No.: 09/891,062
Filed: June 25, 2001
Page 6

September 26, 2005 telephone interview between Ashton J. Delauney, Esq. of the undersigned's office and Examiner Jeffrey Parkin, the Examiner briefly reviewed an electronic copy of the May 13, 2005 Amendment, and acknowledged that this Amendment appeared to satisfactorily address the rejections set forth in the March 17, 2005 Office Action. The Examiner therefore advised that applicants should not respond to the August 8, 2005 Office Action, but should instead await a more detailed review of the May 13, 2005 Amendment by the Examiner and guidance from him whether the pending claims are allowable. Applicants note that they filed an October 3, 2005 Communication with the Patent and Trademark Office, making of record the content of the September 26, 2005 telephone interview with the Examiner.

During a January 9, 2006 telephone interview between the Examiner and Mr. Delauney, the Examiner suggested an additional amendment which would put the claims in condition for allowance. Applicants subsequently forwarded a proposed set of amended claims to the Examiner by facsimile on January 18, 2006. These amended claims, which the Examiner informally stated during a January 24, 2006 telephone interview with Mr. Delauney are allowable, are presented hereinabove.

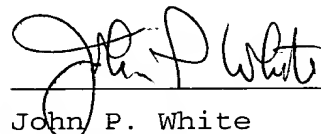
Based on applicants' remarks made in the May 13, 2005 Amendment, and on the Examiner's comments during the January 24, 2006 telephone interview, applicants maintain that the claims now pending in the subject application are in condition for allowance, and earnestly solicit allowance of these claims.

If a telephone conference would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

Applicants: Virginia M. Litwin et al.
Serial No.: 09/891,062
Filed: June 25, 2001
Page 7

No fee is deemed necessary in connection with the filing of this Supplemental Amendment. However, if any fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



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I hereby certify that this correspondence is being transmitted via facsimile on this date to:
Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



2/9/06

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Date